

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

MEHNER FAMILY TRUST, a )  
Nebraska Revocable Trust, RAYMOND )  
H. MEHNER, BARBARA A. )  
MEHNER, MARK A. MEHNER, )  
ANDREA L. MEHNER, and )  
ANTHONY Q. MEHNER, )

4:10CV3009

Plaintiffs, )

v. )

DEPARTMENT OF HOMELAND )  
SECURITY, et. al., )

Defendants. )

MEMORANDUM AND ORDER

Citing Rule 1.16(b) of the Nebraska Rules of Professional Conduct, plaintiffs' counsel of record, Christopher A. Pfanstiel and the firm of Lewis, Pfanstiel & Williams, PC, LLO, has moved to withdraw. Filing No. 20. The case is in the very early stages of litigation. The court finds the motion to withdraw should be granted.

IT IS ORDERED:

1. The motion to withdraw filed by Christopher A. Pfanstiel and the firm of Lewis, Pfanstiel & Williams, PC, LLO, (filing no. 20), is granted. Mr. Pfanstiel shall promptly mail a copy of this order to the plaintiffs, and file a certificate of service stating he has done so.
2. Plaintiffs Raymond H. Mehner, Barbara A. Mehner, Mark A. Mehner, Andrea L. Mehner, and Anthony Q. Mehner are given 20 days from the date of this order in which to either: (1) obtain the services of substitute counsel and have that attorney file an appearance on their behalf; or (2) file a statement informing the court of their intent to proceed in this case without counsel. If neither of these actions is taken within the next 20 days, as to plaintiffs Raymond H. Mehner, Barbara A. Mehner, Mark A. Mehner, Andrea L. Mehner, and Anthony Q. Mehner, this case will be subject to dismissal.

3. Plaintiff Mehner Family Trust cannot litigate its action in this forum without representation by licensed counsel. Knoefler v. United Bank of Bismarck, 20 F.3d 347, 347-48 (8th Cir. 1994). Plaintiff Mehner Family Trust is given 20 days from the date of this order to obtain the services of substitute counsel and have that attorney file an appearance on its behalf, in the absence of which this case is subject to dismissal.

DATED this 25<sup>th</sup> day of June, 2010.

BY THE COURT:

*s/ Cheryl R. Zwart*

United States Magistrate Judge